# PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
## COMMISSION DIRECTIVE

ADMINISTRATIVE MATTER ☐          DATE **January 11, 2017**

MOTOR CARRIER MATTER ☐          DOCKET NO. **1997-444-C/2004-336-C**

UTILITIES MATTER ☑               ORDER NO.

**SUBJECT:**

DOCKET NO. 1997-444-C - Application of Invision Telecom, Incorporated for Approval of Asset Transfer and Application of Securus Technologies, Incorporated (f/k/a Evercom Systems, Incorporated f/k/a Talton Invision, Incorporated) for a Certificate of Public Convenience and Necessity to Continue to Provide Inmate Pay Telephone and Related Services;

-and-

DOCKET NO. 2004-336-C - Petition of Securus Technologies, Incorporated (f/k/a Evercom Systems, Incorporated) for a Declaratory Order Interpreting the Scope of Authority Set Forth in Its Certificate of Public Convenience and Necessity; Application to Amend Its Certificate of Public Convenience and Necessity Enlarging Its Operating Authority and Approval Nunc Pro Tunc of Revisions to Its Existing Inmate Telecommunications Services Tariff - Staff Presents for Commission Consideration the Office of Regulatory Staff's Petition for Rule to Show Cause Regarding Securus Technologies, Inc.'s Phone Charges to Inmates.

**COMMISSION ACTION:**

In this case, ORS petitioned this Commission for an Order requiring Securus Technologies, Inc. to show that it is charging its approved tariff rates in compliance with South Carolina statutes and Commission rules and regulations. The hearing in this matter established that, although certain contract rates with detention facilities in South Carolina did exceed the tariffed rates initially, this was a mistake, and Securus subsequently substituted contracts with compliant rates. Further, Securus showed that no customers were ever actually charged rates in excess of the maximum rates provided in the South Carolina tariff. Since Securus showed at the hearing that it is indeed charging approved tariff rates in South Carolina in compliance with the law, I move that we dismiss the Petition.

Mr. Chairman, I would note that no further action is required by Securus at this time, as it is currently in compliance with all prior Commission Orders and the terms of its tariff, and has satisfied ORS regarding notice and detail on rates being charged its customers in South Carolina. I would also move that we include in the Commission Order on this matter the requirement that, should Securus negotiate new contracts or rates with detention facilities in South Carolina, that those rates must comply with the tariff which Securus has on file with the Commission. Lastly, I move that the Order include the requirement that Securus must keep on file at all times with the Commission and ORS a current price list to provide customers with information from which they may determine Securus' actual rates charged for inmate calling services and if they are being or have been properly billed for those services.

PRESIDING:           SESSION: Regular       TIME: 2:00 p.m.
Whitfield

|         | MOTION | YES | NO | OTHER |
|---------|--------|-----|-----|-------|
| ELAM    | ☑      | ☑   | ☐  |       |
| FLEMING | ☐      | ☑   | ☐  |       |

| | | | |
|---|---|---|---|
| HALL | ☐ | ☑ | ☐ |
| HAMILTON | ☐ | ☑ | ☐ |
| HOWARD | ☐ | ☑ | ☐ |
| RANDALL | ☐ | ☑ | ☐ |
| WHITFIELD | ☐ | ☑ | ☐ |

(SEAL)

RECORDED BY: <u>J. Schmieding</u>